



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Gunnar BRANDT) Examiner: Matthew J. Daniels
)
Application No.: 10/763,260) Group Art Unit: 1732
)
Filed: January 26, 2004) Confirmation No.: 6474
)
Title: CUTTING TOOL INSERT AND)
METHOD FOR PRODUCING THE)
SAME)

Commissioner for Patents
U.S. Patent and Trademark Office
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Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT (IDS)

☒ **Under 37 C.F.R. § 1.97(b):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the undersigned's knowledge, this IDS is being filed before the mailing date of a first Office Action on the merits, before the mailing date of a first Office Action on the merits after filing an RCE under § 1.114, or within three months of the application filing date.

☐ **Under 37 C.F.R. § 1.97(c):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the application.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; or

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ **Under 37 C.F.R. § 1.97(d):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(c) but before payment of the issue fee.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; and

- ☒ Applicant submits that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this IDS was known more than the three months prior to filing of the IDS.

☐ **Under 37 C.F.R. § 1.97(i):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(i), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(d). Applicant requests that the IDS be placed in the file.

☒ The attached documents were brought forward during the examination procedure of the respective European patent at the EPO.

☒ Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. As for any document listed on the accompanying PTO-1449 that is in a language other than English, relevance can be understood from an enclosed English abstract or at least partial translation or from mention in the specification or in a search report for a corresponding application, or from the below.

Summary of König et al. article: While strength and capacity of resistance to wear has been subject to many studies, there are only few publications dealing mainly with tenacity of ceramic cutting tools. This is very remarkable, especially as lack of ductility and reliability of operation are the main reasons for the only moderate use of ceramic cutting tools. This may also be caused by the fact that in contrast to tests for wear and strength so far no method for measuring tenacity of ceramic cutting tools was acknowledged.

In this article it is now proposed a specific test for tenacity behavior of ceramic cutting tools whereby the results are evaluated in a Weibull-plot, offering the possibility of quantifying tenacity of ceramic cutting materials in a real cutting process. The main characteristics are thereby endurance as well as the Weibull-module. Endurance or edge life characterizes the potential or capability and the Weibull-module is a measure for reproducibility, therefore reliability of the results.

In presenting this test for tenacity, the user of cutting tools may now obtain quantifiable data concerning reliability of operation of ceramic cutting tools.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP


Jeffrey G. Killian

Registration No. 50,891

Dated: August 16, 2006

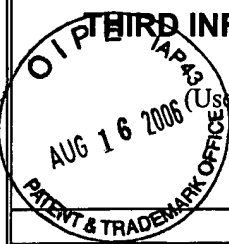
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 THIRD INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Page 1 of 1 PTO Form 1449				Attorney Docket No. 029777-017		Application No.: 10/763,260	
				Applicant(s): Gunnar BRANDT			
				Group Art Unit: 1732			
U.S. PATENT DOCUMENTS							
*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	Translation YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	Becher et al., The Design and Properties of Ceramics Reinforced by Whiskers and Similar Microstructural Features, Materials Engineering 1996, Vol. 7, No. 2-3, pp. 151-181						
	König und Gerschwiler, Zähigkeitsverhalten keramischer Schneidstoffe, VDI-Z 131, 1989, No. 1, January, pp. 52-58						
	Tiegs and Becher, Thermal Shock Behavior of an Alumina-SiC Whisker Composite, J. Am. Ceram. Soc., 70 (5), 1987, pp. C-109 - C-111						
	Niihara, New Design Concept of Structural Ceramics – Ceramic Nanocomposites, Journal of The Ceramic Society of Japan 99 (10), 1991, pp. 974-982						
Examiner				Date Considered			
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							